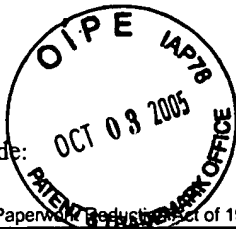


Doc Code:



PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DAE
CPW

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
H0006870

First named inventor: **Nicholas F. Busch**

Application No.: **10/772,171**

Art Unit: **2862**

Filed: **02/04/2004**

Examiner: **LEDYNH, BOT L.**

Title: **BALANCED MAGNETIC LINEAR DISPLACEMENT SENSOR**

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of _____ (identify type of reply):

- ☐ has been filed previously on _____
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700

- ☐ has been paid previously on _____
- ☒ is enclosed herewith.

ISSUE FEE TRANSMITTAL, Pay to Deposit Account - Honeywell

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/04/2005 TBESHAH1 00000021 10772171 1500.00 0P
01 FC:1453

Doc Code:

PTO/SB/64 (09-04)

Approved for use 07/31/2006. OMB 0651-0031

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Kermit Lopez
Signature

Sept. 29, 2005
Date

Kermit Lopez
Typed or printed name

41,953
Registration Number, if applicable

P.O. Box 4484
Address

(505) 232-9048
Telephone Number

Albuquerque, NM 87196-4484
Address

- Enclosures: ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:


- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Sept. 29, 2005
Date

Kermit Lopez
Signature

Kermit Lopez
Type or printed name of person signing certificate

Kermit Lopez

From: Andring, Diane [Diane.Andring@Honeywell.com]
Sent: Thursday, August 25, 2005 7:47 AM
To: ylopez@olpatentlaw.com
Cc: ortiz@olpatentlaw.com; ylopez@olpatentlaw.com; Fredrick, Kris
Subject: U.S. Patent Application No. 10/772,171 (Your File No. 1000-1365; Our File No. H0006870)

Kermit,

The above-referenced application was unintentionally abandoned due to non-payment of Issue Fee(s) which were due 3/21/2005. The Notice of Allowance was received in our office, with a copy having been forwarded to you on 1/19/2005. However, it appears that the "due date" was inadvertently entered into our database by our Patent Services as the "completion date", and it did not appear on my docket for payment.

Please proceed with the filing of a Petition to Revive this application.
Please also note that a copy of the International Search Report was forwarded to you on August 3, 2005, which may affect how you proceed.
Please contact Kris if you have any concerns on this.

Thank you for your assistance in this matter.

Honeywell

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